

06/27/01  
JC885 U.S. PTO

PATENT  
ATTORNEY DOCKET NO.: 013306-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

Jc821 U.S. PTO  
09/09/01  
519166/60  
06/27/01

**TRANSMITTAL FOR A NEWLY EXECUTED  
ORIGINAL APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b) for:

Inventors: Ian Duncan RUBIN, Jasjit Singh BINDRA, and  
Michael Anthony CAWTHORNE

For: **EXTRACTS, COMPOUNDS & PHARMACEUTICAL COMPOSITIONS  
HAVING ANTI-DIABETIC ACTIVITY AND THEIR USE**

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:

<u>54</u>	Pages of Specification including
<u>1</u>	Title Page
<u>9</u>	Pages of Claims
<u>1</u>	Page(s) of Abstract
<u>0</u>	Sheets of <input type="checkbox"/> FORMAL <input type="checkbox"/> INFORMAL drawings containing 0 Figures

3. Declaration for Patent Application

☐ Enclosed and are executed by all inventors.  
☒ Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time  
set for filing the Declaration and paying the filing fees.

## 4. Language

- ☒ English  
☐ Non-English

This application is being filed in accordance with 37 C.F.R. § 1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

- ☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

- ☒ An assignment will be filed at a later date.

## 6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

- ☐ Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed
U.K.	0016213.1	JUNE 30, 2000

Certified copy(ies): ☐ is/are attached. ☐ will follow.

## 7. Priority based on provisional application(s) - 35 U.S.C. § 119(e)

- ☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed

## 8. Relate Back - 35 U.S.C. § 119(e)

- ☐ Amend the specification by inserting before the first line the sentence:  
 "This application claims priority of copending provisional application(s)  
 No. \_\_\_\_\_ filed on \_\_\_\_\_."

## 9. Small entity status

- ☐ Applicants claim small entity status as provided under 37 C.F.R. §§ 1.9 and 1.27.

## 10. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$ 710.00
Total Claims (37 C.F.R. §1.16(c))	- 20 =		\$ 18.00 each=	+
Independent Claims (37 C.F.R. §1.16(b))	- 3 =	0	\$ 80.00 each=	+ 0
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$260.00	+
<b>SUB-TOTAL =</b>				<b>\$</b>
Reduction by 2 for filing by a small entity				<b>- \$</b>
<b>TOTAL FILING FEE =</b>				<b>\$</b>

## 11. Fee Payment

- ☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**  
 This application is being filed under the provisions of 37 C.F.R. § 1.53(f).  
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
- ☐ Enclosed.  
 Check in the amount of \$\_\_\_\_\_ to cover the \_\_\_\_\_, respectively, is enclosed.

12. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

13. Additional papers enclosed:

- ☐ Preliminary Amendment  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_\_\_\_ references included  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
☐ Power of Attorney by Assignee & Certificate Under 37 C.F.R. §3.73(b)

**Please accord this application an application number and filing date.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Erich E. Veitenheimer  
Erich E. Veitenheimer  
Reg. No. 40,420

Dated: June 27, 2001

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